IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1327 OF 2006

Shri.Ram S.S.Parihar
and 5 Ors. ...Petitioners.

Versus

State of Maharashtra
and Anr. ...Respondents.

....

ALONG WITH

CRIMINAL APPLICATION NO.510 OF 2006
IN
CRIMINAL WRIT PETITION NO.1327 OF 2006

Mr.Sushil Ram Parihar
and 5 Ors. ..Applicants.

Versus

The State of Maharashtra
and Anr. ..Respondents

....

ALONG WITH

CRIMINAL MISC. APPLICATION NO.200 OF 2006
IN
CRIMINAL WRIT PETITION NO.1327 OF 2006

Mr.Ram S.S.Parihar
and 5 Ors. ..Applicants.

Versus

The State of Maharashtra
and Anr. ..Respondents

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Mrs.Revati Mohite-Dere, Advocate for the Petitioners/Applicants.
Mr.S.R.Shinde, APP, for State.
Mr.Hiralal Chaturvedi, Adv. for Respondent No.2.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 28th February, 2007.

P.C.:

1. Heard the learned Advocate for the petitioners-orig.accused Nos.1 to 6, the learned Advocate for respondent No.2-orig.complainant and the learned APP for the State.

2. The present Writ Petition has been preferred by the original accused Nos.1 to 6 for transfer of Cri.Case No.124/PW/2004 to Goa. The said case pertains to Cuffe Parade Police Station. The said case is now pending before the learned M.M., 47th Court, Esplanade, Mumbai. The learned Advocate for the petitioners states that as the petitioners are being permitted to prefer an application for discharge from Cri.Case No.124/PW/2004 before the learned Magistrate, she is not pressing this Petition for transfer of the case as well as Application Nos.200/2006 & 510/2006.

3. In view of the fact that the petitioners-orig.accused Nos.1 to 6 are being permitted to prefer an application for discharge,

the warrants which have been issued against them are stayed till the discharge application is disposed of. In case the discharge application is decided against the petitioners, the warrants shall remain stayed for a period of two weeks thereafter. Till the discharge application is decided, the petitioners are exempted from personal appearance before the trial Court.

4. The learned Advocate for the petitioners states that the said discharge application will be preferred within a period of four weeks from today. On the said application being preferred, the learned Magistrate shall dispose of the said application expeditiously.

5. Writ Petition and the Applications are disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)